

AMENDED IN ASSEMBLY APRIL 22, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 282**

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**Introduced by Assembly Member Eggman**

February 11, 2015

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An act to add Chapter 35 (commencing with Section 22948.8) to Division 8 of the Business and Professions Code, and to add Sections 1503.3 and 1596.848 to the Health and Safety Code, relating to window coverings.

### LEGISLATIVE COUNSEL'S DIGEST

AB 282, as amended, Eggman. Corded window coverings.

Existing law generally regulates various business activities and practices, including the sale of cordless telephones within the state.

This bill would, beginning January 1, ~~2017~~, 2018, make it unlawful to sell to a purchaser located in the state a corded window covering. The bill would define “corded window covering” as a window covering, including, but not limited to, blinds, curtains, draperies, and shades, that has an accessible cord, and would define “accessible cord” as any cord with a length of over 7  $\frac{3}{4}$  inches, including a cord that can be extended or pulled to exceed 7  $\frac{3}{4}$  inches. The bill would authorize a corded window covering for which an accessible cord cannot be eliminated, as specified, to be sold to a purchaser located in the state only if the accessible cord is made inaccessible through the use of an effective passive guarding device, such as a cord cover.

Existing law provides for the licensing and regulation of community care facilities, including, among others, residential facilities, foster

family homes, certified family homes, and group homes by the State Department of Social Services. Existing law also provides for the licensing and regulation of child day care facilities by the department. A person who violates a law relating to community care facilities, or who willfully or repeatedly violates a law relating to child day care facilities, is guilty of a misdemeanor.

This bill would require a community care facility or child day care facility that serves children under 6 years of age to remove all corded window coverings or make the accessible cord inaccessible through the use of an effective passive guarding device by January 1, 2019. By expanding the scope of a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 35 (commencing with Section 22948.8)  
2 is added to Division 8 of the Business and Professions Code, to  
3 read:

4  
5 CHAPTER 35. CORDED WINDOW COVERINGS

6  
7 22948.8. For purposes of this chapter, the following terms shall  
8 have the following meanings:

9 (a) "Accessible cord" means any cord with a length of over  
10 seven and three-quarter inches, including a cord that can be  
11 extended or pulled to exceed seven and three-quarter inches.

12 (b) "Corded window covering" means a window covering,  
13 including, but not limited to, blinds, curtains, draperies, and shades,  
14 that has an accessible cord.

15 22948.9. (a) Except as provided in subdivision (b), it is  
16 unlawful to sell to a purchaser located in this state a corded window  
17 covering.

(b) If an accessible cord cannot be eliminated from a corded window covering due to the large size of the window covering or for another reason, the corded window covering may be sold to a purchaser located in this state only if the accessible cord is made inaccessible through the use of an effective passive guarding device, such as a cord cover.

22949. This chapter shall become operative on January 1, ~~2017~~ 2018.

SEC. 2. Section 1503.3 is added to the Health and Safety Code, to read:

1503.3. (a) For the purposes of this section, the terms “accessible cord” and “corded window covering” have the same meaning as in Section 22948.8 of the Business and Professions Code.

(b) By January 1, 2019, every facility licensed or certified pursuant to this chapter that serves children under six years of age shall remove all corded window coverings or make the accessible cord inaccessible through the use of an effective passive guarding device, such as a cord cover.

SEC. 3. Section 1596.848 is added to the Health and Safety Code, to read:

1596.848. (a) For the purposes of this section, the terms “accessible cord” and “corded window covering” have the same meaning as in Section 22948.8 of the Business and Professions Code.

(b) By January 1, 2019, a child day care facility that serves children under six years of age shall remove all corded window coverings or make the accessible cord inaccessible through the use of an effective passive guarding device, such as a cord cover.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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